

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

JAMES CUBBAGE,

Plaintiff,

vs.

THE TALBOTS, INC.,

Defendant.

NO. 2-09-00911-BHS

ORDER MODIFYING FINAL ORDER AND
JUDGMENT

THIS MATTER came before the Court based on a joint motion to modify the Final Order and Judgment (Dkt 114) entered on November 5, 2012. The Court having reviewed the motion and the records and files herein, it is hereby

ORDERED as follows:

1. Paragraph 2 in the Final Order and Judgment shall be replaced with the following:

The Class means:

All persons who received a pre-recorded telephone message in the State of Washington from an automatic dialing and announcing device which contained a promotional or commercial message concerning the Talbots, Inc., during the period of time from June 1, 2005 through and including the Date of Settlement.

1 2. The date in line 8 of paragraph 7 shall be changed from March 11, 2005 to
2 June 1, 2005.

3 DATED this 13 day of November, 2012.

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7 HON. BENJAMIN H. SETTLE
8 United States District Judge

9 Presented by:

10 GORDON THOMAS HONEYWELL LLP
11 Attorneys for Defendant

12 By: /s/ Bradley A. Maxa

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